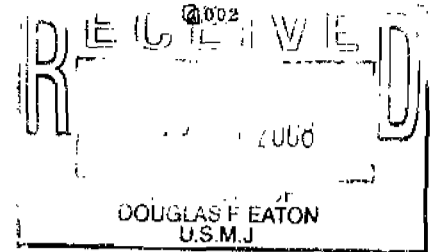


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HARDIN, KUNDLA, McKEON



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ELSIE FUENTES,

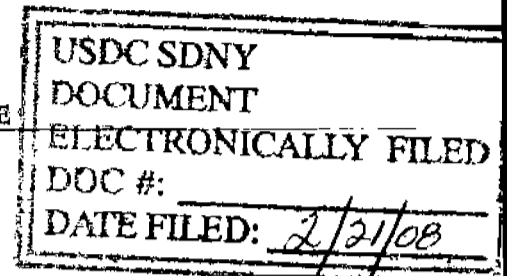
STIPULATION OF
DISCONTINUANCE
Plaintiff,

-against-

05-6985 (DFF)

ASHLAND PLUMBING CORP.
and 430 PARK AVENUE COMPANY LP.,

Defendants.
-----X



IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record (and representatives) for all parties to the above entitled action

(1) That the above-captioned action is settled in the amount of \$30,000.00 with the following breakdown:

- (a) \$13,500 from American Automobile Insurance Company (a Fireman's Fund Insurance Company), paid on behalf of The Lanstar Companies, LTD., Robert Landsmann;
- (b) \$1,500 from Illinois Union Insurance Company; and
- (c) \$1,000 from CRC Insurance Services;
- (d) \$3,000 from defendant Ashland Plumbing Corp.;
- (e) \$3,000 from defendant 430 Park Avenue Company, LLP;
- (f) \$8,000 from Lancer Insurance Company.

(2) That the above-described settlement checks will be issued within twenty (20) days following receipt of a duly executed release from the plaintiff;

(3) That the above-captioned action is Discontinued as to defendants with prejudice and without costs to either party as against the other;

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HARDIN, KUNDLA, McKEON



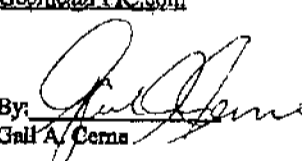
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(4) It is understood by the parties that the related action of Lancer Insurance Company v. Ashland Plumbing Corp., 430 Park Avenue L.P. Elsie Fuentes and Illinois Union Company (and the third party action), currently pending in Nassau County Supreme Court under index number 2573/07 will be discontinued with prejudice. A separate stipulation of discontinuance to that effect will be filed in that action.

(5) A faxed or e-mailed copy of this stipulation will have the full force and effect of the original.

(6) This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
September 25, 2007

<p>Law Office of Robert Kaminaki, PLLC Attorney(s) for Plaintiff(s) 350 Fifth Avenue, #2310 New York, New York 10118 (212) 355-5886</p> <p>By:  Robert Kaminaki (RK6286)</p>	<p>Carfora, Klar, Gallo, Vitarel, Pinter & Cogan Attorneys for Lancer Insurance Company 185 Madison Ave Fl 12, New York, NY 10016 Fax: (212) 683-5555 jscarlato@eklaw-ny.com</p> <p>By:  Joseph Scarlato (JS 9312)</p>	<p>Christafusa, Slattery, Turpin & Metacas One Liberty Plaza 165 Broadway - 28th Floor New York, New York 10006 Phone: (212) 225-7700 david.beyda@zurishne.com</p> <p>By:  David R. Beyda (DB4279)</p>
<p>ESCHEN, FRENKEL & WEISMAN, LLP 20 West Main Street Bay Shore, New York 11706- 8304 Phone: 631-969-7777 Fax: 631-666-3878 josephb@EFWLAW.com</p> <p>By: _____ Joseph Battista (JB)</p>	<p>Hardin, Kundla, McKeon & Polotto Attorneys for ILLINOIS UNION INSURANCE COMPANY 110 William Street New York, New York 10038 Phone: (212) 571-0111 Fax: (212) 571-1117 mmccaffrey@HKMPP.com</p> <p>By:  Michael K. McCaffrey</p>	<p>American Automobile Insurance Company (a Fireman's Fund Insurance Company) 400 Esjay Road, Suite 220 Williamsville, New York 14221 1-800-462-7177 ext. 534904 Fax 866-335-4968 Gernie@FFIC.com</p> <p>By:  Gail A. Cerna</p>

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CRC Insurance Services, Inc. Sirote & Permutt, P.A. 2311 Highland Avenue South Birmingham, AL 35205 (205) 930-5105 rmccles@sirote.com		
By: <i>Rushon McCles</i> J. Rushon McCles		

So Ordered February 21, 2008

Douglas F. Eaton

Hon. Douglas F. Eaton
United States Magistrate Judge